

New York Tribune

First to Last—the Truth: News—Editorials—Advertisements

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Judicial Candidates

Voters in New York City and State are fortunate this year in the superior character of the judicial candidates for places in our highest courts. All of those nominated by the Republicans and Progressives for the Court of Appeals and the Supreme Court have especially fine records, and there is good reason for the election of every one of them.

The Tribune has more than once emphasized the fact that the promotion of Judge Hiseock from the position of associate judge of the Court of Appeals to that of chief judge would, because of his long and successful experience in that court, promote the efficiency of that tribunal far more than would the election to such office of the opposing candidate, Presiding Justice Jenks of the Appellate Division in the Second Department. The friends of Judge Jenks have urged in reply that he should be elected to give New York City larger representation in the highest state court. We think that if the argument of locality representation is ever good in judicial elections, it has no applicability to the choice of the chief judge of the Court of Appeals. The record which the people have made for more than thirty years of selecting for this place only a judge who has served long, ably and satisfactorily in the same court should not now be broken.

There are equally good reasons why Mr. Justice Cuthbert W. Pound should be elected an associate judge of the Court of Appeals. If the Democrats were sincere in their plea for larger representation in the Court of Appeals from New York City, this is the position for which they should have nominated a New York lawyer or judge. Even then it would have been necessary to name a candidate of remarkably high qualifications to make his election as desirable as that of the Republican nominee. Judge Pound has not only proved an excellent justice of the Supreme Court since his election, in 1906, but for more than a year has rendered similar judicial service in the Court of Appeals. At a recent meeting of the Bar Association of this city the report of its judiciary committee was unanimously adopted approving and endorsing Justice Pound's candidacy, and adding: "His judicial services have been eminently satisfactory to the profession and the community, and he has shown exceptional qualification for judicial office."

Against Justice Pound the Democrats did not nominate a New York judge or even a New York lawyer, but Mr. John T. Norton, of Troy, who has considerable local reputation as a successful trial lawyer. But Mr. Norton has had no judicial experience; and the impartial and non-partisan judiciary committee of the New York Bar Association, while recognizing Mr. Norton's high standing as a trial lawyer, is compelled to add: "Your committee, however, is unable to certify that in its opinion his professional career has shown unmistakable fitness and qualification for such an important judicial office as that of judge of the Court of Appeals." The best public interests call for the election of Justice Pound.

In New York City and County the voters have the opportunity to elect unmistakably good candidates to the Supreme Court. It is gratifying that for one of the three places the Republicans, Democrats and Progressives have united in renominating for another full term Mr. Justice Vernon M. Davis, now sitting in the Appellate Division. It is seldom that the distinction of such a nomination and reelection without opposition is so deservedly conferred. Mr. Justice Davis has been one of our best judges.

Counsel Richard H. Mitchell and City Court Justice Robert L. Luce. The Bar Association commends Mr. Mitchell as a candidate, but is unable to approve the nomination of Justice Luce. It is to be observed that Mr. Mitchell has had no judicial experience; and that, although Justice Luce has had such experience, representative members of the bar are unable to find that he has "shown unmistakable fitness and qualification for judicial office."

Traitors to Unionism

It is interesting and significant that another plea should have been made for settlement of the street car strike by arbitration on the very day on which the police arrested four officials of the strikers' local union, a striking guard and a friend of theirs for dynamiting the 110th street subway station.

Under the circumstances the plea for arbitration is farcical. True, Mr. Fitzgerald, who made it, and the members of the executive council of the Amalgamated Association of Street and Electrical Railway Employees are not involved in the crime. From the confessions alleged to have been made to the police it appears to have originated in the minds of some of the local leaders and to have been carried out by them. But any arbitration entered into now would be for the benefit of the union which elected these men as its officials, and funds of which—collected from a too sympathetic public—went to purchase the dynamite. It is hard to visualize an arbitration meeting of representatives of the transit system, the union and the public!

Dynamite is no argument for arbitration. Dynamite is no friend of labor unionism. From the Molly Maguires to the McNamoras, every endeavor to advance the cause of the workingman by the club, the pistol, the dynamite bomb, has done infinite harm. It is a wicked and abhorrent doctrine, preached by extremists, that the "wrongs of labor" can command attention only when property and lives are destroyed.

Directly the contrary is the rule in labor disputes nowadays. Any strike commands plenty of attention, and the strikers who win the approval of the public by the merits of their case and the decency of their conduct generally better their condition, while those who take to violence admit that they have no other argument than brute force.

In the present case the strikers won a great victory when the first brief strike was settled by an arbitration agreement. Foolishly they threw away their success when they violated that agreement on grounds pronounced by Mayor Mitchell and Chairman Straus of the Public Service Commission to have been insufficient to justify such a course. What ever public sympathy there was for them in the beginning deserted them then. By putting into question the good faith of labor they struck a vicious blow at unionism. The effect of that blow has been redoubled by the dynamiting.

The best thing Mr. Fitzgerald can do for his organization and the decent members of its local union is to call off the strike, which has failed miserably, and lend all possible aid to the prosecution and punishment of these self-confessed traitors to unionism as honest men conceive it.

Caricatures of America

Foreign comment upon the character and ideals of the United States, always more or less skeptical and critical, has, since the war, contained small encouragement of our national self-conceit. Americans have not reached that state of scornful indifference to the opinions of the rest of the world which seems to be the attitude of certain Prussian apostles of "terribleness." We can, therefore, still find something gratifying in the effort of an ex-ambassador from Austria to correct the prevailing German notion that this country wishes the war to continue that we may go on reaping profit from the misery of Europe. Baron von Hengelmüller spent twenty years in this land; he denies the charge that America has only a sordid commercial interest in the war, and says that no nation is more likely to be moved by sentiment.

Well meant as this defence appears to be, it is even so not wholly flattering. We prefer to think that intelligence as well as sentiment has some way over us. The fact is that it is impossible to sum up the spirit of a great nation in this easygoing fashion. The war has given encouragement to the habit of broad generalization in judging nations as if a nation were an individual. No single trait can be made to represent anything so complex as a nation. We have in this country all the human types which may be found in any other. It is the easiest thing in the world for an outsider, or even a citizen, to mistake any one of these types for the average American. The result is that the judgments passed upon this country present an amazing variety of caricatures.

Visitors like James Bryce have looked upon us as an interesting experiment in democracy. Emma Goldman thinks our democracy is all a fraud and a sham. Recently a well-known French modiste, who doubtless had spent much time in New England, announced the discovery

that we were wanting in a sense of humor and capacity for gaiety. A Scandinavian artist who has frequented New York restaurants carried away the impression of a nation of well-dressed middle-aged women whose chief interest in life was the tango or fox trot.

Shaw in one of his prefaces speaks of the American as a nebulous, unfixed creature, a conglomerate of a little of everything, of whom no one can predict what he will become. But H. G. Wells was impressed with the notion that we had settled down to a rather rigid, though emasculated, Puritan tradition. Arnold Bennett seemed to be greatly impressed with the bigness of our skyscrapers and the marvel of our industrial development; while Kipling seemed to regard all that as a screaming riot of uncouth commercialism, and boldly informed us that we were heathen. To Von Papen we were simply "idiotic Yankees," while Alfred Noyes seems to have discovered a vein of the poetic in our life, telling us that the verse written by our undergraduate students would compare favorably with that produced by English students.

America is a riddle, even to Americans. The politicians, whose ears are alert to every hint, often guess it wrong. Every one sees in America about what he is looking for. Once in a while the public reveals its spirit in unmistakable terms. But those who imagine they have hit upon an easily labelled "American type" remind one of Omar's study of philosophy—they are always coming out at that same door wherein they went.

The Spirit That Gives

Probably not until the death of William Bell Wait, the inventor of the "point system" and other devices for printing books for the blind, was it brought to the notice of the general public that the man who thus made possible a knowledge of literature and music for afflicted thousands freely gave these patents over to humanity without seeking personal profit from them. Some of these inventions are of such importance in the education of the blind and are in such general use that they might easily have made their inventor rich had he chosen to exploit them according to the accepted principle that "business is business." Even had he thought first of enriching himself, the perfection of these devices would still have given Mr. Wait a just claim to the title of human benefactor.

Wait was more than a benefactor. He attained entrance into the inner circle of the select few who in each generation give their best to the world simply because they cannot do otherwise. Their reward cannot be measured in money values. It was in this spirit that Beethoven composed his symphonies, that Monet painted, that Marx wrote in exile, and that such geniuses as Ibsen, Tolstoy, Meredith and Whitman gave their best to society. Society might reward them or not (it generally did not); they were big enough to provide their own incentive for their achievements.

It cannot be repeated too often that much of the best work which has been done in this world has been performed without the incentive of money. But the gifts of genius are offered in a very different spirit from that of the charitable enterprises of the millionaire philanthropist. There is no suggestion of exploitation about them. It is not the idea of self-sacrifice which inspires these select ones. There is a certain kind of man to whom self-giving and self-realization are the same thing. The insatiable spirit of such men seeks a prize which popular commercialism does not even know exists.

The good which such persons do passes beyond the immediate benefits of their specific deeds. It has a humanizing influence upon us all. It helps to keep alive our faith in the dignity of human nature and in its power of ideal achievement.

Friend Wife in France

The most casual visitor to France, even the casual meander at a French table d'hôte in our own New York, cannot help being struck by the part played by that active partner in every commercial concern, Madame, the proprietor's wife. In America we are very proud of the handsome way we treat our wives. And we do give them a maximum of comfort and adoration. Yet such an equal partnership in the business of life as is the rule in France is exceptional here. All of which was very accurately explained by M. Jules Bois in a recent lecture:

French civilization is bi-lateral. It is the result of the understanding between the French man and the French woman, loving and working together. Also the feminist propaganda has not had a boisterous aspect with us. The woman has above all been preoccupied by persuading and convincing the man by example. Intellectuals or politicians are almost unanimously disposed to grant to the French woman her political rights; but it is she who is not hurried, who but asks her new rights progressively that she may be better prepared to exercise them.

That is the fact. France has a smaller feminist propaganda than almost any other nation. And the simplest explanation lies in the working partnership to which the battle of the sexes has been reduced. Each country to its own. France has her special failing with respect to the sexes. But the next time you

are graciously handing out a new bonnet or a new frock to friend wife, who has teased for it in the approved American fashion without knowing whether it can be afforded or not, you might reflect on the more rational system of France. If economic independence is revolting to your ideals, why not try a partnership?

PATCHWORK LEGISLATION

Good Roads Referendum in New Jersey Is Faulty

To the Editor of The Tribune.

Sir: I noticed in a recent editorial that The Tribune thought the Egan road bill a good one. I certainly cannot agree with these sentiments.

For many years I have made more or less of a study of road building and road administration, and have for some time been convinced that it would be a wise policy for the state to build a thoroughgoing system of state highways constructed of the most enduring materials. In order to do this, I have felt that the state should issue bonds to be retired serially, covering a period of twenty years; that this system of highways should be under control of the State Road Commission; that a proper maintenance should be provided for these roads from the state budget, and that such aid as is given counties by the state should be more carefully protected by a guarantee of the road's maintenance and upkeep.

To my mind, a county that receives assistance in constructing roads should be obliged to raise proper maintenance and upkeep each year, as moneys contributed from the state treasury are moneys in which all the people of the state have an interest, and it is manifestly unfair to contribute to the cost of constructing without making definite and positive provisions for the roads' maintenance, which I think should be first burden upon the county budget.

I was interested in the Egan road bill, which provided for a \$7,000,000 issue of state bonds, but am convinced that the referendum should not receive the sanction of the people for several reasons:

First, from the fact that it is utterly impossible to build a mileage of roads called for in the bill for \$7,000,000. In my judgment double this sum would be required.

Second, that the road policy of the State of New Jersey and organization and power of the road department are all inadequate for a comprehensive administration of the proposed work, and

Third, there is absolutely no provision made in this bill for the maintenance and repair of the roads.

This is another case of patching where an entire new structure should be made. ARTHUR N. PIERSON, Westfield, N. J., Oct. 20, 1916.

A Canadian View

To the Editor of The Tribune.

Sir: As an illustration of the feelings of Canadians in regard to the recent U-boat piracy, I quote from a personal letter from the president of one of the leading mercantile concerns in Toronto, having extensive dealings in the United States, as follows:

"I am disappointed at the position taken by the United States government in regard to the recent submarine visits, especially the U-53, which was recognized as a war vessel. Its captain, after getting information on the sailing of Allied and neutral merchant ships, was immediately thereafter allowed to proceed to sea without escort by United States patrol boats and attack these vessels. Long before this outrage Great Britain, at the request of the United States government, had withdrawn her cruisers that protected the trade routes from United States ports; thus the German boat had free scope for its dirty work."

"There will certainly be strong representations made to Washington, and I am not sure but the United States may be liable for heavy damages, as a result of the raid off the Atlantic coast. The Washington idea of neutrality is becoming decidedly objectionable here, while it seems as if the almighty dollar and our inspiration Americans can understand. It is lamentable that the great republic should at this time have men at its head with such limited vision—precursors for submarines now being established in Washington may come home to roost on both Uncle Sam's Atlantic and Pacific coasts before the much talked of era of universal peace is inaugurated."

That the feelings of Canadians toward the United States have greatly changed is apparent to any one visiting Canada, and it is to be regretted.

New York, Oct. 27, 1916. C. M.

Who Will Write to a Prisoner?

To the Editor of The Tribune.

Sir: Here is my periodic appeal for the disenfranchised. Will you help me out again by publishing it?

Who will write to a prisoner? As long as men and women have long hours in their homes there is no excuse for the existence of such a large army of friendless men and women behind prison walls. Many of these unfortunate only broke man-made laws, are isolated from family and deserted by so-called friends to come in contact with all sorts and conditions of offenders.

A Japanese proverb claims that a man who brings sunshine into the lives of others cannot be unhappy. Why not try for "a little bit of heaven" right now, even before Thanksgiving Day, and interest yourself in one of these shut-ins? The average man or woman is loathsome to writing to a prisoner inmate. One letter a week will not consume too much time. We appoint the state as the keeper of delinquents; therefore we should be the friend of these "brothers." Those who have waited with anxiety for a letter that never came will understand the desolation of chronic friendlessness.

I ask the readers of The Tribune to have sympathy for misfortune, and those who can write letters should show compassion by joining a society that will put them in letter touch with inmates of American prisons. 5,500 members of the O. E. Library League cannot take care of the number of shut-ins who have asked for correspondents. An inquiry to Dr. H. N. Stokes, librarian, 1207 Q Street, N. W., Washington (with a self-addressed stamped envelope), will bring you particulars. DAISY L. WEHLE, New York, Oct. 18, 1916.



"I never thought I should see them again!" Forain, in Le Figaro.

TO A DOG

(From The Poetry Review of America)

So, back again?—And is your errand done, Unfailing one? . . . How quick the gray world at your morning look, Turns wonder-book! Come in, O guard and guest; Come, ever-breathless, from the life-long quest— Search here my heart; and if a comfort be, Ah, comfort me! Of all diviners, you, you best Of all diviners, you, to trace The weather gleams upon a face; With wordless, quivering paw, Adventuring the Law!

You shaggy loveliness, What call was it?—What dream be yond a guess, Lured you, gray eyes back, From that lone bivouac Of the wild pack? Was it your need, or ours? The calling trail Of faith that should not fail? Of hope dim understood? That you should follow our poor humanhood Only because you would!— To search and circle, follow and out-strip, Men and their fellowship? And keep your heart, no less, Your to-and-fro of hope and wistfulness; Through all world-weather and all heavenly odds, Can you forgive us, now,— Your fallen gods? JOSEPHINE PRESTON PEABODY.

Captains Adventurous

(From The University Magazine, Montreal)

Captains adventurous, from your ports Of quiet, From the ghostly harbors, where your sea-beat galleons lie, Say, do your dreams go back across the sea-line Where cliffs of England rise gray against the sky? Say, do you dream of the pleasant ports of old-time— Orchards of old Devon, all afoam with snowy bloom, Or have the mists that veil the Sea of Shadows Closed from your eyes all the memories of home? Feet of the Captains hurry through the stillness, Ghostly sails of galleons are drifting to and fro, Voices of mariners sound across the shadows, Waiting the word that shall bid them up and go. "Lo, now," they say, "for the gray old Mother calls us" (Listening to the thunder of the guns about her shore). "Death shall not hold us, nor years that lie between us, Sail we to England to strike for her once more."

Captains adventurous, rest ye in your havens, Pipe your ghostly mariners to keep their watch below, Sons of your sons are here to strike for England, Heirs of your glory—Beatty, Jellicoe. Yet shall your names ring on in England's story, You who were the prophets of the mighty years to be, Drake, Blake and Nelson, thundering down the ages, Captains adventurous, the Masters of the Sea. NORAH M. HOLLAND.

The Armed Liner

(From The Poetry Review, London)

The dull gray paint of war Covering the shining brass and gleaming decks That once reached to the steps of youth, That was before The storms of destiny made ghastly wrecks Of Peace, the Right and Truth, Improptuous, colored lights and laughter, Lovers watching the phosphorescent waves, Now gaping guns, a whistling shell; And after So many wandering graves. H. SMALEY SARSON, Private, Canadian Contingent.

THE THREE-YEAR-OLD WITNESS—THE HOMELESS

By ARTHUR GLEASON

THE THREE-YEAR-OLD WITNESS

Two persons came in the room at Lunville where I was sitting. One was Mme. Dujon, and the other was her granddaughter, Mme. Dujon had a strong umbrella, with a crook handle. Her tiny granddaughter had a tiny umbrella which came as high as her chin. As the grandmother talked, the sadness of the remembrance filled her eyes with tears. Her voice had pain in it, and sometimes the pain, in spite of her control, came through in sobbing. The little girl's face was burned, and the wounds had healed with scars of rigid flesh on the little nose and cheek. The emotion of the grandmother passed over into the child. With a child's sensitiveness she caught each turn of the suffering. Troubled by the pain in the voice overhead, she looked up and saw the grandmother's eyes filled with tears. Her eyes filled. When her grandmother, telling of the dying boy, sobbed, the girl sobbed. The story of the murder tired the grandmother, and she leaned on her umbrella. The little girl put her chin on her tiny umbrella, and rested it there.

Mme. Dujon said: "I will try to tell you the beginning of what I have passed through, monsieur, but I do not promise that I shall arrive at the end. It is too hard. The day of August 25, which was a Monday, As she spoke her words were cut by sobs. She went on: "When the Germans came to our house, my son had to go all over the house to find things that they wanted. I did not understand them, and they were becoming menacing. I said to them: "I am not able to do any better. Fix things yourself. I give you everything here. I am going to a neighbor's house."

She went with the tiny grandchild, who was three years old, her son, Lucien, fourteen years old, and another son, sixteen. The Germans came here, too, breaking in the windows, and firing their rifles. The house was by this time on fire. The face of the little girl was burned. The grandmother started to run out with the three children. "My boys wished to make their escape, but the fourteen-year-old was more slow than the other, because the little fellow was a bit paralyzed, and he already had his hands and body burned. He tried to come out as far as the pantry. I saw the poor little thing stretched on the ground, dying. "My God," he said, "leave me. I am done for. Mamma, see!"

"I saw just then the Germans came, shouting. I said to them: "He has had enough." "The little one turned over and tried to get the strength to cry out to them. "Every one called to us to come out of the fire. The fire was spreading all over the house. I did not want to understand what they were saying. I went upstairs again where the little girl was, to try to save her (see still the marks which she received). I succeeded, not without hurt, in carrying away the little girl out of the flames. I had to leave my boy in the flames, and, like a mad person, save myself with the little girl. "I have two sons-in-law, of whom one is the father of this little girl here. Look at her face marked with scars." "Yes," they burned me," said the tiny girl. She held up her hand to the scars on her face.

"My other little boy escaped from the fire. He was hidden all one day in a heap of manure. He did not wish to make me sad by telling how his brother had cried out to die." Mme. Dujon sobbed quietly and could not go on for a moment. The little girl put her chin on her little umbrella, and her eyes filled with tears. The Mayor of Lunville, Monsieur Keller, said to us: "Madame has not told you—the Germans finished off the poor child. Seeing that he was nearly dead, they threw him into the fire, and closed the door."

THE HOMELESS

We are a nomadic race, thriving on change. Apartment houses are our tents; many of us preempt a new flat every moving day. This is in part an inheritance from our pioneer readiness to strike camp and go further. It is the adaptability of a restless seeking. It is also the gift made by limitless supplies of immigrants, who, having slain in a moment of time. A modern city can be rebuilt. An ancient village can never be rebuilt. That soft rhythm of its days was caught from old buildings and a slowly ripening tradition. Something distinguished has passed out of life. What perished at Rheims the matchless unreturning light of its windows was only a larger loss. A quiet radiance was on these villages, too. Still the peasants return to the place they know. Even their dead are men living from the faces of strangers in cities. The rocks in the gutter once held their home. There is sadness in a place where people have lived and been happy, and now count the dead. It is desolate in a way wild to never see again, for the raw wilderness groups itself into beauty and order. It would have been better to let the forest thicken through centuries that to inherit the home where one day the roof-tree is razed by the invader. These peasants are not hysterical. They are only brokenhearted. They tell their story in a quiet key, in simple words, with a kind of grace of recital. There are certain experiences so appalling to the consciousness that it can never reveal the elements of its distress, because what we do know killed what could tell. But the light of the day is never seen again with the same eyes after the moment that witnessed a child tortured or one's dearest shot down like a dove pigeon. The girl, who was made for happiness, when she is wise as mother, will pass on a consciousness of pain which had never been in her life before. The thing that happened in a moment will echo in the trouble of every one of her children, and a family music is broken.

Christ and the Pacificists To the Editor of The Tribune. Sir: It would be interesting to all the pacifists who quote the teaching of Christ as imposing peace at all prices to explain, if they can, that own vigor in violently disturbing the peace when He whipped the money-changers out of the Temple and overturned their tables. Did He simply write epistles to them or postscripts explaining away His denunciations of the "thieves" and "generation of vipers"? Did He persist in merely watchfully waiting at the entrance of the "den of thieves" while they continued to get away with the goods? Did He not fight? Did He not use his arms and hands and feet in a far-outrageous non-violence upon wrong? What precedent did He ever give for supine tolerance of wrong which could not be corrected otherwise? The very fury of His attack is indicated by the fact that all the gruffers fled before it and were afraid even to defend their cash boxes. Yet He was one against many, boldly and vigorously holding them to a strict accountability for their deeds, not by means of words, but by aroused force. This is no defence of military aggression, but only of courageous Christlike manliness facing wrong. PAUL V. COLLINS, New York, Oct. 30, 1916.

The Fall of the Zeppelin

(As seen by the writer near midnight on Sunday, October 1, 1916.)

(From The London Nation)

Beneath Invisible God the Night is still—

The Stars that are His Angels last the Deep;

Men and the darkened World as-south'd for sleep;

The million'd city soundless. Sudden a thrill

Cries, "Wake! to arms! The Mail Foe comes to kill!"

On every roof the scornful people leap,

To see the spectral fingers point-ing sweep

The heavens and show, like doom, the Murderous Hill.

Look, look, it kindles Lament Spirits there,

Like souls of the dead women it bath slain,

And children, drag it down from up- per air:

It flames!—a dreadful Face with har- rent hair,

Like his who sent it, shrieking down in pain.

And a far Voice Unheard saith, "Know, ye men, I Reign!"

RONALD ROSS